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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,431	09/19/2003	Rento Tanase	P 306046 H7975US	8307

7590 11/20/2007
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EXAMINER

KATCHEVES, BASIL S

ART UNIT	PAPER NUMBER
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3633

MAIL DATE	DELIVERY MODE
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11/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/666,431	Applicant(s) TANASE ET AL.	
	Examiner Basil Katcheves	Art Unit 3633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5,8,13,14 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5,8,13,14 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/7/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The applicant has added claim 28 in the paper dated 9/7/07. Pending claims 5, 8, 13, 14 and newly added claim 28 are examined below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5, 8, 13, 14 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,329,827 to Thorn.

Regarding claim 5, Thorn discloses a hollow panel (Figure 5) comprising first hollow portions with a first width and second hollow portions arranged in the same plane and with a second width different than the first width, wherein the partition walls (4) are made of wood (column 2, last line). In addition, Thorn discloses a pair of flat, parallel, outer side portions (fig. 5: see pair of flat sheets 1) between the hollow portions and made as the same material (as inner walls 4 of fig. 5).

Regarding claims 8, 13, 14 and 28, discloses a hollow panel (Figure 5) comprising first hollow portions (fig. 5: cavity adjacent the number 2) with a first width and second hollow portions (cavity between numbers 4 in fig. 5) arranged in the same plane and with a second width different than the first width, wherein the partition walls (4) are

made of wood (column 2, last line). In addition, Thorn discloses a rod like member (fig. 5: 5) disposed at a part of the first and second hollow portions with a section shape that corresponds to the shape of the part, the member (5) being located outside (not inserted into) of the hollow portion (the hollow portion being the area between members 5 and between where the numbers 4 point). Thorn also discloses a pair of flat outer sides (fig. 5: 1) which are substantially parallel to each other and the depth of both hollow portions substantially corresponding to each other.

Response to Arguments

Applicant's arguments filed 9/7/07 have been considered but are not persuasive. The applicant argues the prior art (Thorn) does not disclose two parallel sheets of a wood element. The applicant states, in the response, that skin 1 is plywood and skin 2 is metal and that there is no motivation to change the metal to plywood. However, the applicant should note that component 1 is made up of two flat, outer, parallel sheets of plywood which meet the claim limitations. Figures 1 & 3 best show three layers which would construe one inner layer and two outer layers (of component 1), or, the other embodiments of figures 5 and 6 show (1) as being two layers. This still meets the limitations because they are outside of the hollow portion and therefore they are "outer". Also, the limitations of the claim are drawn to "made of a same material of wood elements". Clearly, plywood (1) is made of a wood element, and (4) is made of a wood element (column 2: line 26-27). Regarding the hollow portion depth, this is being construed as the "height" as shown in the figures. This is "substantially corresponding" as claimed. The applicant should note that the term "substantially corresponding" is

broad and the two sections clearly correspond with each other as can be seen, they are connected together to make the entire panel.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Basil Katcheves whose telephone number is (571) 272-6846. The examiner can normally be reached on Monday-Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot, can be reached at (571) 272-6777.

BK


Basil Katcheves

11/16/07

Primary Examiner, AU 3633